

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Alix Nazon

21 CV 8680

Write the full name of each plaintiff.

CV  
(Include case number if one has been assigned)

-against-

Time Equities, Inc. - 55 Fifth Avenue, 15th Floor, New  
York, NY 10003

**COMPLAINT**

Do you want a jury trial?

☒ Yes ☐ No

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

RECEIVED  
CLERK OF COURT  
SDNY  
OCT 22 PM 1:40

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

## I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

- ☐ Federal Question
- ☒ Diversity of Citizenship

### A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

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### B. If you checked Diversity of Citizenship

#### 1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, Alix Nazon, is a citizen of the State of  
(Plaintiff's name)

New York

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

\_\_\_\_\_.

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, \_\_\_\_\_, is a citizen of the State of  
(Defendant's name)

\_\_\_\_\_  
or, if not lawfully admitted for permanent residence in the United States, a citizen or  
subject of the foreign state of

If the defendant is a corporation:

The defendant, **Time Equities, Inc.**, is incorporated under the laws of  
the State of **New York**

and has its principal place of business in the State of **New York**

or is incorporated under the laws of (foreign state) \_\_\_\_\_

and has its principal place of business in **55 Fifth Avenue, 15th Floor, New York, NY 10003**.

If more than one defendant is named in the complaint, attach additional pages providing  
information for each additional defendant.

## II. PARTIES

### A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional  
pages if needed.

<b>Alix</b>		<b>Nazon</b>
First Name	Middle Initial	Last Name
<b>118-50 193rd Street</b>		
Street Address		
<b>St. Albans</b>	<b>New York</b>	<b>11412</b>
County, City	State	Zip Code
<b>(347) 453-3884</b>	<b>nazonalix@gmail.com</b>	
Telephone Number	Email Address (if available)	

**B. Defendant Information**

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:

Time Equities INC  
 First Name Last Name

Current Job Title (or other identifying information)

55 Fifth Ave N.Y.

Current Work Address (or other address where defendant may be served)

NEW YORK N.Y. 10003  
 County, City State Zip Code

Defendant 2:

First Name Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City State Zip Code

Defendant 3:

First Name Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City State Zip Code

Defendant 4:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

**III. STATEMENT OF CLAIM**Place(s) of occurrence: 55 Fifth Avenue, 15th Floor, New York, NY 10003

Date(s) of occurrence: \_\_\_\_\_

**FACTS:**

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

On June 16, 2020 Francis Greenburger, Chairman & CEO of Time Equities, Inc. held a zoom meeting on "We at Time Equities, Inc. Condemn Injustice and Discrimination". I was shocked, appalled and wondered if he was aware of the injustices and discrimination that has overtly and repeatedly happened to me over the course of the 24 years that I have been employed at Time Equities. Once by Judie Frank, the Office Manager, and the second time by Suzi Wilson, the Director of Leasing of Commercial. I am a gay Haitian black man, who was placed on probation because I brought to the attention to Daniel Schwartzman, a Counsel of Time Equities that a white woman, Kim Murphy stated, "she is going to kill me twice" but the third time she said she "can't wait to kill me" and that was after my food had been tampered with. I wrote an email to Ms. Natalie Diaz, Officer of Staff, inquiring if she was aware of this incident and to my surprise her response was not a professional one. (See attached). From that day on the retaliation received by me and another Haitian older black man (Gerard Noel) got substantially worse whenever we would mention discrimination issues and/or the injustice we felt towards us.

Additionally, Time Equities, Inc. did not allow me to perform any Real Estate transactions with my Broker License but they allowed an "unlicensed" young white man, Jonathan Dulberg, to openly do Real Estate transactions until 2020. Due to the lack of money and opportunity this prevented me to afford an at home doctor service for my severely ill and impaired Mother who I was taking care of at home. On April 3, 2021, I was forced to take her to the hospital, in the prime of COVID risking her life. The unimaginable worst time to take a person in her condition to the hospital. My Mother passed away on April 8

five days later.

Further, it was clear to me that the warning they issued me on October 2020 for a simple suggestion that I made to the cleaning woman, Melanie Moran, was seen instead as hostile and lead to an assault charge (see attached). All I was trying to do was help.

This assault charge would have prevented me to renew my Broker ' s License. This was very uncomfortable and it forced me to choose to resign. Audrey Harmaty, the Office Manager, decided to write me up and gave me a warning to imply that I was aggressive and there was an attack coming directly from me. There was an investigation conducted by Emily Sappol, a Legal Associate, which was a discrepancy in comparison to the one conducted by the Office Manager Audrey Harmaty. There was also a note sent to the Security Guard stating that if I and/or Gerard Noel come into the building they should call the police. After being a dedicated employee at Time Equities, Inc. I was so hurt and disappointed by the actions they took.

#### **INJURIES:**

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

#### **IV. RELIEF**

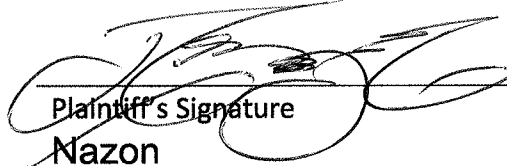
State briefly what money damages or other relief you want the court to order.

**V. PLAINTIFF'S CERTIFICATION AND WARNINGS**

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>10-22-2021</u>		
Dated		Plaintiff's Signature
Alix		Nazon
First Name	Middle Initial	Last Name
<u>118-50 193rd Street</u>		
Street Address		
<u>St. Albans</u>	<u>NY</u>	<u>11412</u>
County, City	State	Zip Code
<u>(347) 453-3884</u>	<u>nazonalix@gmail.com</u>	
Telephone Number	Email Address (if available)	

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☐ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: **Alix Nazon**  
**118-50 193 St.**  
**St Albans, NY 11412**

From: **New York District Office**  
**33 Whitehall Street**  
**5th Floor**  
**New York, NY 10004**



On behalf of person(s) aggrieved whose identity is  
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

**520-2020-05174**

**Gwendolyn D. Hoy,**  
**Investigator**

**(929) 506-5313**

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: The EEOC will not proceed further with its investigation, and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Gwendolyn D. Hoy

Digitally signed by Gwendolyn D. Hoy  
 Date: 2021.09.23 23:34:09 -04'00'

For

Enclosures(s)

**Judy A. Keenan,**  
**District Director**

(Date Issued)

CC:

**Catherine R. Tucciarello**  
**Respondent Counsel**  
**JACKSON LEWIS**  
**666 Third Avenue**  
**29th Floor**  
**New York, NY 10017**



Cc: [nazonalix@gmail.com](mailto:nazonalix@gmail.com)

Subject: Re: Available Counseling : TEI's Employee Assistance Program

Hi Alix,

Thanks for writing to me with all of this. As you know, in my position as Chief of Staff, I have to act on the allegations you've outlined here, and that will require Andrey's involvement.

In terms of the way Andrey communicates with you, I am aware that there are frustrations on both sides. His demands that you communicate with him adequately about your schedule and while you were out over the past couple of months are fair - it is a basic requirement of any job. However, I recognize that his communications have been triggering for you and have been an added stressor during this difficult time as you grieve about your mother's passing. I will bring this to his attention so that we can find a path forward for you two, one that includes open communication on both sides and a constructive, collaborative tone. If you two are not able to find a place of healthy communication, I would be happy to mediate a conversation between the two of you to get to a mutually agreeable and productive state to move forward.

As for your other allegations below, please let me know what would make you feel as though justice has been served and that you have been treated fairly, since Kim, Judy, and Suzi no longer work at the company. We can go back to try to get more details around each incident, but we are limited since we will not be able to get their accounts.

As for your broker's license, I would like to have an investigation done around this so that we can arrive at a fair conclusion that will allow you to use your broker's license as you see fit.

I will take action on this immediately and will begin discussions with Andrey.

Thank you, and of course please don't hesitate to reach out with anything further or if you'd like to talk.

Natalie

Natalie Diaz  
Chief of Staff  
Time Equities Inc.  
55 Fifth Avenue | 15th Floor | New York, NY 10003  
O: (212) 206-6094 | F: (212) 206-6114  
[ndiaz@timeequities.com](mailto:ndiaz@timeequities.com) | [timeequities.com](http://timeequities.com)  
Check out our new website at [www.timeequities.com](http://www.timeequities.com)

From: Alix Nazon <[anazon@timeequities.com](mailto:anazon@timeequities.com)>

Sent: Friday, June 12, 2020 2:06 AM

To: Natalie Diaz <[ndiaz@timeequities.com](mailto:ndiaz@timeequities.com)>

Cc: [nazonalix@gmail.com](mailto:nazonalix@gmail.com) <[nazonalix@gmail.com](mailto:nazonalix@gmail.com)>

Subject: RE: Available Counseling : TEI's Employee Assistance Program

Truthfully these days it's worst with the injustice that's going on with black people. The way Andrey talk to us. The demand he makes for me to "go to the office they will create something for me to do" does not make sense. Andrey

aggressive demands bring back to my head all incident that happen to me from the pass which are clearly injustice and discrimination.

Monday Francis started the meeting saying " Good morning TEI Family we will not tolerate injustice and discrimination in the company. I had to say Maybe he does not know that Bob put me in probation when I brought to Dan Swartzman's attention that Kim said she is going to kill me for the third time after she tempered with my and other people's food? Does he know that Suzi Wilson pushed me in front of three co-workers for no reason so she could look tough? Does he remember that he ask me to sign an options agreement stated not to use my broker license

1st To return my broker license and stay at TEI

2<sup>nd</sup> Change it to an associate Broker but Roberta said she is not going to sign for me to be an associate broker even though I worked unofficially for two and a half years from summer 1999 to December 2001 at Clinton Hill. The open house schedule was Tuesday form 6-8 Thursday 6-8 Saturday from 10 to 4 and Sunday from 10 to 4. Yes she was aware of it because she used to ask me for a verbal traffic report every Tuesday (I considered the hours I worked as training experience I was getting)

3<sup>rd</sup> to keep the license and resign working at TEI

4<sup>th</sup> To keep the license and never use it unfortunately this the option I accepted

These days that option is haunting me. I have people I encouraged to get the real estate License after I got mine they are in million dollars club had I take the third option I would have had enough money to pay a private doctor to visit my mom the night April 3<sup>rd</sup> instead of taking her to the hospital where they automatically diagnose her as corvid without much examination. She would have been alive today,also I would not have Andrey stressing me leaving me aggressive .voice mail.

When Judi Frank put her hand on my throat David Becker had to pull her out. When I told Robert Kantor about the incident he told me in an email that "Judi is the management her rule s have to be abide" for weeks after the incident I was having dreams of the incident but in the dreams I reacted differently. I had to pay my own money from my small for therapy per Roberta suggestion and Larry Gillig find me a therapist in the village. When I realize that I am not going to be able to any money to live I stop and leave it in God's hands.

On November 21 , 2011 Robert Kantor ridiculed me for that as a weak person in front of Kim Murphy, Devon Little and Beatrice Aquino who had a good laugh out of that.

I know I told you most of these incidents before but because of the turmoil base on injustice and discrimination I fell embarrass for enduring the humiliation not to mention the harassment from Beatrice Aquino so long. I started to think of different avenue.

A while ago some body in the office said the first three years in law school teaches Lawyers how to lie which is something I despise.

Last Monday morning when Francis open the Meeting with the way he did I feel that I have to let him know what I have been enduring to these day for the pass twenty four years. What do you think TH?

I apologize for bringing all that heavy load on your shoulder YES I know it's a heavy Load but God will give you strength to carry it the same way he's been giving me strength.

Please let me know

May God bless you

Because of that simple suggestion

**From:** Alix Nazon

**Sent:** Thursday, October 15, 2020 1:54 PM

**To:** Tara McAleer; Beatrice Aquino; Chris Noble; Receptionist

**Subject:** A Suggestion

Yesterday I ran to the lady in the men's room who is doing sanitation told me to wait until she finish. Politely I waited until she was done.

When she walked out she pointed the sign that was posted in front of the door.

If that happen to me it could happen to others

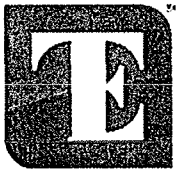
I think she should have been be the one to step out until it's vacant.

It's a team of two who are sanitizing the Building a man and a woman.

I think to avoid that incident the man should do the men's room and the lady do the ladies room.

When a person got to go they got to go.

Best way to spell relief is PISS



Alix Nazon

Time Equities Inc.

55 Fifth Avenue | 15th Floor | New York, NY 10003

O: (212) 206-5647

[anazon@timeequities.com](mailto:anazon@timeequities.com) | [timeequities.com](http://timeequities.com)

**Alix Nazon**

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**From:** Andrey Harmaty  
**Sent:** Tuesday, October 27, 2020 5:04 PM  
**To:** Beatrice Aquino  
**Cc:** Alix Nazon  
**Subject:** To File: Alix Nazon, Warning

*To file,*

*This is to record that a warning was issued to Alix Nazon by me with Beatrice Aquino in attendance in a meeting on October 23<sup>RD</sup> 2020 with regard to his treatment of Melanie*

*The following are a summary of the event in question, the investigation and the subsequent meeting highlights and conclusions.*

**EVENT SUMMARY:**

**Incident date:** 10/15/2020

In the late morning of October 15<sup>th</sup>, Melanie, the cleaning attendant from our vendor Prominent Cleaning, approached Zabrina extremely distraught. Zabrina brought her to me still crying and Melanie explained the circumstances while wiping her consistent flow of tears. She stated that Alix entered her staging area where she prepares herself and berated her with regard to the way she managed the cleaning of the men's bathroom on the 15<sup>th</sup> floor in front of Hopeton. She was quite upset and cried for about twenty minutes as she tried to speak. Zabrina was present. She stated that the day before, she was cleaning the men's bathroom with clearly visible signage that she was doing so on the exterior. Having seen Alix ignore the sign and walk in, Melanie stated that she told him that she would be done in a minute. She claimed that Alix appeared upset and left. The following day he entered her staging area (the mechanical room on the 15<sup>th</sup> floor) waving his finger at her scolding her over the fact that she did not leave the bathroom and allowed him to use the facilities after which she could resume her work. She felt demeaned, disrespected and overall very upset. She stated that she has never been treated like this by anyone. She also mentioned that Alix continually tells her how to do her job.

**INVESTIGATION**

**Those involved:** Melanie, Zabrina Mathews, Hopeton Bryant

**Melanie:** I met with Melanie who provided me with the description above. Zabrina was a witness to Melanie's explanation.

**Hopeton:** Hopeton confirmed that while he did not see what precipitated the event, he witnessed the altercation, and described the event identically as was described by Melanie. He felt that Alix treated her inappropriately.

**MEETING DATE 10/23/2020**

**Purpose:** Incident review

**Attendees:** Beatrice Aquino, Andrey Harmaty, Alix Nazon

**Highlights:**

Along with Beatrice Aquino, I met with Alix to review the circumstances. Alix described the incident similar to that of Melanie and Hopeton except for his level of aggression. He denied waving his finger at her but ironically was waving it at us while he described the event. He felt that she was "acting" and that her reaction was suspect because she was friends with Zabrina. He stated that Hopeton witnessed the event and would support his version. I then explained that I had already interviewed Hopeton and that he agreed with Melanie's description of the event. Alix still showed no remorse and reiterated that she was "acting". Being that Alix is physically a much larger person, I asked him if he felt that approaching her in an enclosed area that he may have frightened her. He rejected this point stating that he did nothing

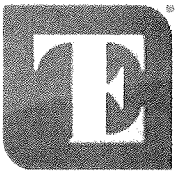
wrong. I requested that Alix be gentleman, do the right thing and simply apologize to her to at least make her comfortable. He felt that he had no reason to. While he stated that he would not apologize to Melanie, after my insistence for him to think it over, he stated that he would. I did not however, get the impression that he would do so. I issued Alix a warning. I had further told Alix that;

- the described treatment was inappropriate
- not to treat anyone in the manner described by Melanie or the witness
- not tell Melanie what to do directly anymore
- any concerns need to be brought to the attention of Zabrina or myself

**CONCLUSION:**

Because a witness corroborated the behavior that Alix expressed to Melanie in her complaint, I am left no choice but to issue a warning to him.

Any repeat of this behavior could lead to potential disciplinary action up to and including termination.



Andrey Harmaty  
Director of Human Resources  
Time Equities, Inc.  
55 Fifth Avenue | 15th Floor | New York, NY 10003  
O: (212) 206-6003 C: (917) 562-9969  
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